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 I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Box PCT, Commissioner for Patents, P.O. Box 2327, Arlington, VA 22202 on December 2, 2002.  
 By: SLZ Printed: Lyza Finoliar

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Hillman et al.

Title: CANCER ASSOCIATED PROTEINS

Serial No.: 09/889,617 Filing Date: To Be Assigned

Examiner: To Be Assigned Group Art Unit: To Be Assigned

Box PCT  
 Commissioner for Patents  
 PO Box 2327  
 Arlington, VA 22202

FEE TRANSMITTAL SHEET

Sir:

Transmitted herewith are the following for the above-identified application:

1. Return Receipt Postcard;
2. Response to Notification of Defective Response (1 pg.);
3. Copy of Notification of Defective Response dated November 01, 2002 (10 pp.);
4. Substitute Submission Under 37 CFR § 1.821-1.825 Sequence Listing (1 pg.);
5. Paper copy fo substitute sequence listing (9 pp.); and
6. One (1) Substitute CRF Diskette containing the Sequence Listing.

The fee has been calculated as shown below:

X No additional Fee is required.

Please charge Deposit Account No. **09-0108** in the amount of: \$ \_\_\_\_\_

The Commissioner is hereby authorized to charge any additional fees required under 37 CFR 1.16 and 1.17, or credit overpayment to Deposit Account No. 09-0108. **A duplicate copy of this sheet is enclosed.**

Respectfully submitted,

INCYTE GENOMICS, INC.

Diana Hamlet-Cox  
 Diana Hamlet-Cox  
 Reg. No. 33,302  
 Direct Dial Telephone: (650) 845-4639

Date: 2 Dec 2002

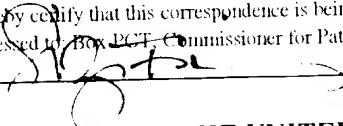
**Customer No.: 27904**  
 3160 Porter Drive  
 Palo Alto, California 94304  
 Phone: (650) 855-0555  
 Fax: (650) 845-4166

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09/889,617

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## RESPONSE TO NOTIFICATION OF DEFECTIVE RESPONSE

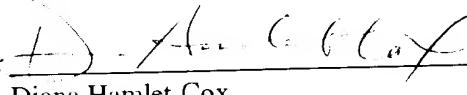
Sir:

In response to the "Notification of Defective Response" mailed by the United States Patent and Trademark Office on November 01, 2002, (copy attached), Applicants submit the documents listed below to complete the filing for the above-identified patent application.

1. Substitute Submission Under 37 CFR 1.821-1.825 Sequence Listing (1 pg.);
2. Paper copy of substitute sequence listing (9 pp.); and
3. One (1) Substitute CRF diskette containing the Sequence Listing.

The Applicants believe that no fee is due with this communication. However, if the Commissioner determines that additional fees are due or that an excess fee has been paid, the Patent Office is authorized to debit or credit (respectively) Deposit Account No. 09-0108.

Respectfully submitted,  
 INCYTE GENOMICS, INC.

Date: 2 Dec 2002
  
 Diana Hamlet-Cox  
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**COPY**

## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
 United States Patent and Trademark Office  
 Washington, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NUMBER NO	FIRST NAMED APPLICANT	ATTY DOCKET NO
09/889,617	Jennifer L. Hillman	PF-0661 USN
INTERNATIONAL APPLICATION NO		PCT/US00/01565
IA FILING DATE		PRIORITY DATE
01/21/2000		01/22/1999
<b>CONFIRMATION NO. 6961</b> <b>371 FORMALITIES LETTER</b>  *OC00000009048268*		

Date Mailed: 11/01/2002

**NOTIFICATION OF DEFECTIVE RESPONSE**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fee
- Priority Document
- Biochemical Sequence Diskette
- Biochemical Sequence Listing
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Oath or Declaration

Applicant's response filed 01/04/2002 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 09/10/2001 have not been completed.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

**Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).**

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):
  - The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable

- form must be submitted as required by 37 CFR 1.825(d).
- See Attachment(Raw Sequence Listing Error Report)If not received with mailing please contact Catherine Short at (703)305-3620.....
  - APPLICANT MUST PROVIDE:
    - An initial or substitute computer readable form (CRF) of the "Sequence Listing."
    - An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.
- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
- For Rules Interpretation, call (703) 308-4216
  - To Purchase PatentIn Software, call (703) 306-2600
  - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov
- The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PATRICIA A BOOKER

Telephone: (703) 305-3738

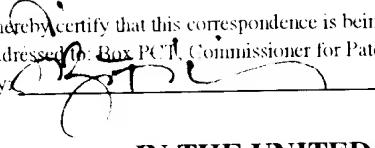
PART 2 - OFFICE COPY

U.S. APPLICATION NUMBER NO	INTERNATIONAL APPLICATION NO	ATTY. DOCKET NO.
09/889,617	PCT/US00/01565	PF-0661 USN

FORM PCT/DO/EO/916 (371 Formalities Notice)

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**SUBSTITUTE SUBMISSION UNDER 37 CFR §1.821-1.825 SEQUENCE LISTING**

Sir:

In accordance with the requirements of 37 CFR § 1.821-1.825, Applicants hereby submit one (1) substitute diskette containing the computer-readable information for the Substitute Sequence Listing of the above-identified application. The diskette complies with the requirements of 37 CFR § 1.824 and is IBM PC compatible using a Windows NT Operating System with WordPerfect software and saved in ASCII text format.

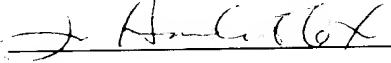
Enclosed is a paper copy of the Substitute Sequence Listing.

The content of the Substitute Sequence Listing paper copy is identical to the computer-readable copy, as required under 37 CFR § 1.821(f). This sequence listing contains no new matter.

Respectfully submitted,

INCYTE GENOMICS, INC.

Date: 2 Dec 2002

  
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